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9 Attorneys for the United States of America

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 EDGARDO DUARTE,

17 Defendant.

) No. CR 14-296 JST  
) **STIPULATION AND [PROPOSED] ORDER**  
) **EXTENDING DEADLINE FOR FILING OF**  
) **MOTIONS IN LIMINE**  
) Pretrial Conference Date: January 20, 2017  
) Before: Hon. Jon. S. Tigar  
)

19 This case is presently set for a pretrial conference on January 20, 2017 and for jury trial on  
20 March 6, 2017. The Court's Standing Order for All Criminal Cases and Local Criminal Rule 17.1-1 set  
21 forth certain deadlines associated with the pretrial conference date. Specifically, in light of the pretrial  
22 conference date, the local rules require the submission of a pretrial conference statement by January 13,  
23 2017. The Court's standing order requires the submission of the parties' proposed *voir dire* questions  
24 and jury instructions by January 13, 2017 and the submission of motions *in limine* by this Friday,  
25 January 6, 2017.

26 Counsel for the Defendant has advised counsel for the Government that she is nearly positive  
27 that Mr. Duarte will elect to forego his right to a jury trial and instead plead guilty in this case.  
28

1 However, Mr. Duarte is in pretrial detention and his counsel does not anticipate being able to visit him  
2 and confirm this wish until at least Friday, January 6, 2017. In the event Mr. Duarte confirms he wishes  
3 to plead guilty, the parties intend to immediately file a stipulation asking the Court to vacate the trial  
4 date and instead set the matter for a change of plea at the time presently set for the pretrial conference.

5 In light of the foregoing, and in the interests of judicial economy and conservation of  
6 government resources, the United States hereby requests that the Court extend the deadline for the filing  
7 of motions *in limine* from January 6, 2017, to January 11, 2017, and the deadline for any responses  
8 thereto to January 17, 2017. Counsel for the Defendant, Linda Fullerton, concurs in this request.

9 Respectfully submitted this **4th** day of January, 2017.

10 BRIAN J. STRETCH  
11 United States Attorney

12 \_\_\_\_\_ /s/  
13 NIKHIL BHAGAT  
14 Assistant United States Attorney

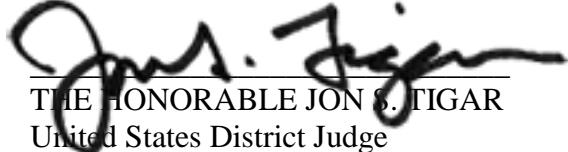
15 \_\_\_\_\_ /s/  
16 LINDA ANN FULLERTON  
17 Attorney for Edgardo Duarte

18 **[PROPOSED] ORDER**

19 In the interests of judicial economy, and for good cause shown, the deadline for the filing of  
20 motions *in limine* in the above-captioned cause is hereby extended through and including January 11,  
21 2017. If a party wishes to file a written response to a motion *in limine*, any such response must be filed  
22 by January 17, 2017.

23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24 Dated: January 5, 2017

25   
26 THE HONORABLE JON S. TIGAR  
27 United States District Judge